



# Kingsburg Planning Commission

1401 Draper Street, Kingsburg, CA 93631

Telephone: 559-897-5328 Fax: 559-897-6558

Chairperson  
DR. PAUL KRUPER

Vice Chairperson  
DR. JASON ROUNTREE

COMMISSIONERS  
JEREMY KINNEY  
TROY COZBEY  
BRUCE BLAYNEY  
CJ BROCK

Planning & Development Director  
GREGORY COLLINS

Secretary  
MARY COLBY

## AGENDA

### KINGSBURG PLANNING COMMISSION

AUGUST 8, 2019

6:00 P.M.

### KINGSBURG CITY COUNCIL CHAMBER

1401 DRAPER STREET

1. Call to order - Reminder for all Commissioners and Staff to speak clearly and loudly into the microphones to ensure that a quality recording is made of tonight's meeting. We ask that all those attending this meeting please turn off pagers and wireless phones.

### NEXT RESOLUTION 2019-04

2. **APPROVAL** of the July 11, 2019 minutes as mailed or corrected.
3. **PUBLIC COMMENTS** - Any person may directly address the Commission at this time on any item on the agenda, or on any item that is within the subject matter jurisdiction of the Commission. A maximum of five minutes is allowed for each speaker.
4. **REQUEST FOR 1 YEAR EXTENSION FROM HARBOUR & ASSOCIATES FOR TENTATIVE TRACT NO. 6151 – ERICKSON PROPERTY**
5. **PUBLIC HEARING – FOR CONSTRUCTION OF A MULTI USE (COMMERCIAL & RESIDENTIAL) BUILDING LOCATED AT 1300 DRAPER STREET (STONE PLAZA). APPLICANT EFRAIN YANEZ**
  - A. Open Public Hearing scheduled for 6:00 P.M.
  - B. Presentation by Consulting Planning Director Greg Collins.
  - C. Commission Discussion
  - D. Open for Public Comment
  - E. Close Public Comment
  - F. Continued Commission Discussion
  - G. Close Public Hearing
  - H. Possible Actions:
    1. Decisions regarding Environmental Document
    2. Adopt/Deny/Modify Resolution
6. **FUTURE ITEMS**
7. **ADJOURN**

**KINGSBURG PLANNING COMMISSION  
JULY 11, 2019  
REGULAR MEETING**

**Call to order** – At 6:01PM the Kingsburg Planning Commission meeting was called to order.

**Commissioners Present** – Kruper, Blayney, Brock and Kinney

**Commissioners Absent** – Rountree and Cozbey

**Staff Present** – Planning Director Greg Collins and Planning Secretary Mary Colby

**Others Present** – Rob and Laura VanDerStaay

**APPROVAL** – Commissioner Kinney made a motion, seconded by Commissioner Blayney to approve the minutes of the April 11, 2019 meeting as mailed. The motion carried by unanimous vote of those Commissioners present.

**PUBLIC COMMENTS** – There were no citizens present who wished to comment at this time.

**PUBLIC HEARING - AMENDING THE KINGSBURG GENERAL PLAN, LAND USE ELEMENT (GENERAL PLAN AMENDMENT 2019-01), AND KINGSBURG ZONING ORDINANCE (ZONING ORDINANCE AMENDMENT 2019-01) FOR PROPERTIES LOCATED ON THE NORTHEAST CORNER OF TULARE AND 12<sup>TH</sup> AVENUE IN KINGSBURG. APPLICANT ROB AND LAURA VAN DER STAAY.**

Open Public Hearing scheduled for 6:03 P.M.

Consulting Planning Director Greg Collins gave brief history of the request for amendment. Consists of four parcels on the N/E corner of Tulare and 12<sup>th</sup> Avenue, adjacent properties have 3 units and would bring them into conformity.

Commission Discussion – The Commissioners discussed access to existing and proposed units.

Open for Public Comment at 6:10 PM

Close Public Comment At 6:11PM

Continued Commission Discussion

Close Public Hearing at 6:12PM

Commissioner Kinney made a motion, seconded by Commissioner Blayney to approve Resolution 2019-03 amending the Kingsburg General Plan land use element (GPA 2019-01) and Zoning Ordinance Amendment (ZO-2019-01 for the properties on the northeast corner of Tulare and 12<sup>th</sup> Avenue. The motion carried by unanimous vote of those Commissioners present.

**FUTURE ITEMS** – Commissioner Kruper discussed the joint meeting that was held with the City Council. He stated that the wrap around corner design is lacking in the Lennar development. Would like to discuss this with City Council to be sure that this does not happen again. Planning Director Collins stated that this has been discussed with San Joaquin

**KINGSBURG PLANNING COMMISSION**  
**JULY 11, 2019**  
**REGULAR MEETING**

Valley Homes and also with West Star who is moving dirt at the corner of Kamm and 18<sup>th</sup> Avenue.

**ADJOURN** - At 6:26 Commissioner Blayney made a motion, seconded by Commissioner Brock to adjourn the Kingsburg Planning Commission meeting. The motion carried by unanimous vote of those Commissioners present.

Submitted by

Mary Colby  
Planning Secretary

To: Kingsburg Planning Commission  
From: Greg Collins, City Planner  
Subject: Time Extension, Subdivision Tract Map No. 6151, Gerald and Barbara Erickson  
Date: August 8, 2019

**Recommendation**

That the Planning Commission pass Resolution 2019 -\_\_ approving an extension of the expiration date for Subdivision Tract Map No. 6151, Gerald and Barbara Erickson ("Tentative Tract Map") for a period of one (1) year. Staff recommends the Tentative Tract Map, , approved on April 17, 2017, by the Kingsburg Planning Commission, be granted a one (1) year extension as permitted by Section 16.20.070 A. of the Kingsburg Municipal Code to April 17, 2020.

**History**

The Planning Commission held a public hearing on the Tentative Tract Map on April 14, 2017, and approved the Tentative Tract Map. The term of the Tentative Tract Map was two (2) years.

The Tentative Tract Map was for 64 single-family residential lots and associated open space uses, on 19.98 acres located on the west side of 10<sup>th</sup> Avenue between Stroud and Kamm Avenues in Kingsburg. The APN for the subject property is 394-021-14.

The applicants have expressed interest in proceeding with a final subdivision map on the subject site. However, in order to seek approval of the final subdivision map, the Tentative Tract Map must be extended. The subdivider has provided the City with a written application requesting the expiration of the Tentative Tract Map be extended for a period of one (1) year and until April 17, 2020. Pursuant to Section 16.20.070 of the Kingsburg Municipal Code, upon written application by the subdivider, the Planning Commission may grant an extension of the Tentative Tract Map for a period not to exceed one (1) year.

**Conclusion**

Staff recommends that the Planning Commission approve Resolution 2019-\_\_ extending the expiration date of the Subdivision Tract Map No. 6151, Gerald and Barbara Erickson, to April 17, 2020.

**RESOLUTION NO. 2019-23**

**BEFORE THE PLANNING COMMISSION  
CITY OF KINGSBURG, STATE OF CALIFORNIA**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
KINGSBURG EXTENDING THE TIME PERIOD FOR FILING A FINAL MAP  
FOR THE ERICKSON SUBDIVISION, TENTATIVE SUBDIVISION TRACT  
MAP NO. 6151**

WHEREAS, Gerald and Barbara Erickson, are seeking approval of a Time Extension for Subdivision Tract No. 6151 (64 lots), and

WHEREAS, a tentative subdivision map for the Erickson Subdivision, was first approved by the Kingsburg Planning Commission on April 13, 2017, and

WHEREAS, the State Subdivision Map Act, Section 66452.6 (a) indicates that a tentative map shall expire 24 months after its approval, and

WHEREAS, Section 66452.6 (e) of the Map Act allows the subdivider to request a time extension from the Planning Commission for the filing of a final map, and

WHEREAS, Section 16.20.070 A of the Kingsburg Municipal Code permits the extension of the Erickson Subdivision to April 13, 2020, and

WHEREAS, the Commission reviewed the staff report on this matter, and considered testimony for the granting of a time extension on said map.

NOW, THEREFORE BE IT RESOLVED that the Kingsburg Planning Commission hereby grants a time extension for the Erickson Subdivision for the filing of a final map to April 13, 2020.

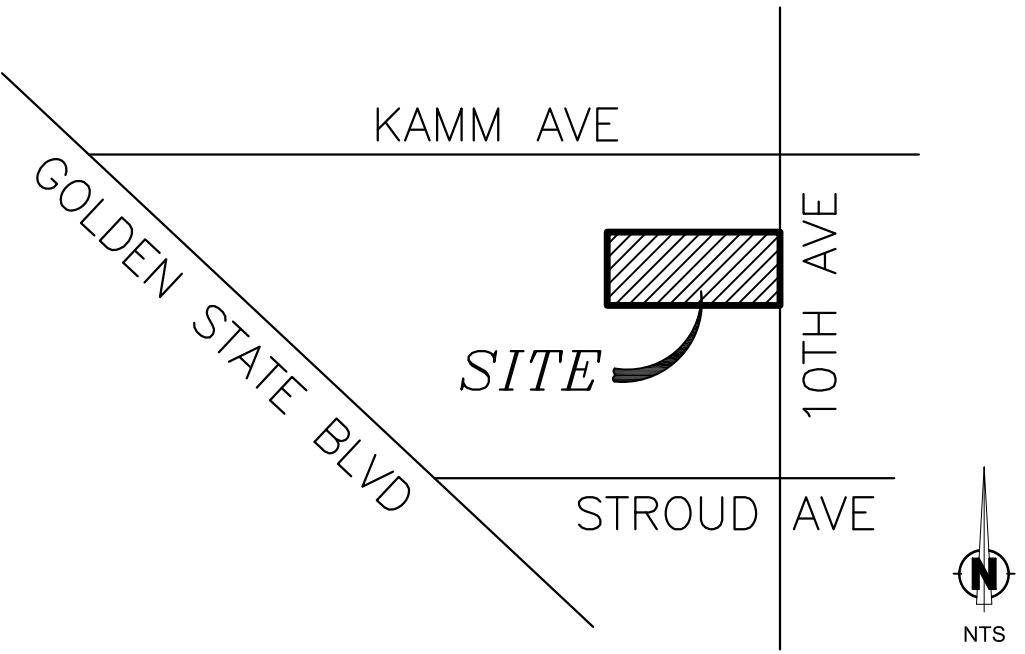
I, Mary Colby, Secretary to the Planning Commission of the City of Kingsburg, do hereby certify that the foregoing resolution was duly passed and adopted at a regular meeting of the Kingsburg Planning Commission held on the 8th day of August 2019 by the following vote:

AYES: Commissioners  
NOES: Commissioners  
ABSTAIN: Commissioners  
ABSENT: Commissioners

Mary E. Colby

---

Planning Secretary



VICINITY MAP  
N.T.S.

VESTING  
TENTATIVE SUBDIVISION MAP  
OF

# TRACT NO. 6151

IN THE CITY OF KINGSBURG  
FRESNO COUNTY, CALIFORNIA



TRACT  
4872

LEGAL DESCRIPTION:

PARCEL 1: (APN: 394-021-14)  
THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE  
SECTION 22, TOWNSHIP 16 SOUTH, RANGE 22 EAST, MOUNT DIABLO BASE AND  
MERIDIAN.

EXISTING BUILDINGS  
NONE  
EXISTING TREES  
NONE  
EXISTING USE  
VINEYARD  
EXISTING ZONING  
AE-20  
PROPOSED ZONING  
R-1  
PROPOSED USE  
SINGLE FAMILY RESIDENTIAL SUBDIVISION  
SOURCE OF WATER  
CAL WATER  
SOURCE OF SEWAGE DISPOSAL  
SKF  
SOURCE OF ELECTRICITY  
PG&E

GENERAL PLAN  
LOW DENSITY RESIDENTIAL  
ASSESSOR'S PARCEL NUMBER  
394-021-14  
SITE AREA  
19.98 AC. (GROSS)  
NUMBER OF LOTS  
64  
DENSITY  
3.20 UNITS PER ACRE  
AVERAGE LOT SIZE  
9,092 SF  
SOURCE OF GAS  
SOCAL GAS  
SOURCE OF CABLE T.V.  
COMCAST  
SOURCE OF TELEPHONE  
AT&T

OWNERS & PROPERTY ADDRESS

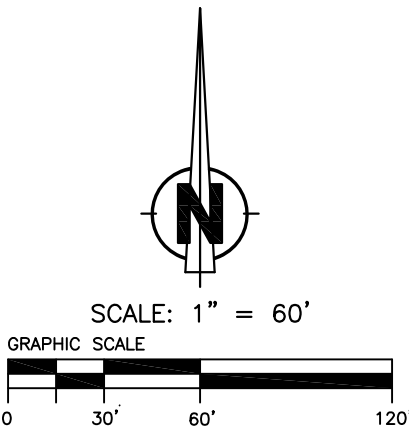
GERALD H. & BARBARA L. ERICKSON  
14143 S. ACADEMY AVE.  
KINGSBURG, CALIFORNIA 93631

LEGEND:

- INDICATES STREETS PREVIOUSLY DEDICATED FOR PUBLIC USE
- PUBLIC STREET EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE

LOT SIZE SCHEDULE

17 LOTS @ 10,000 SF OR MORE (26%)  
5 LOTS @ 9,000 SF TO 9,999 SF (7%)  
33 LOTS @ 8,000 SF TO 8,999 SF (52%)  
9 LOTS @ 7,000 SF TO 7,999 SF (14%)  
64 LOTS (AVERAGE LOT SIZE = 9,092 SF)



TENTATIVE SUBDIVISION MAP

SUBDIVIDER  
Gerald H. & Barbara L. Erickson



Harbour & Associates  
Civil Engineers  
389 Clovis Avenue, Suite 300 • Clovis, California 93612  
(559) 325-7676 • Fax (559) 325-7699 • e-mail: hars@harbour-engineering.com

DATE: 3-8-17

SCALE: 1"=60'

DRAWN BY: SDH

REVISIONS

1

OF

1

SHEET NO.

D-883



**Harbour & Associates**

*Civil Engineers*

389 Clovis Avenue, Suite 300 • Clovis, California 93612  
(559) 325-7676 • Fax (559) 325-7699

July 17, 2019

**City of Kingsburg**

1401 Draper Street  
Kingsburg, CA. 93631

Attn: Alexander Henderson, City Manager

Re: Tentative Tract No. 6151

Dear Alex,

As the representative of record for this project we hereby request a one year extension for the subject tentative tract.

The owner of the site is marketing the project and is currently working with prospective buyers.

If you have any questions please feel free to contact me at 559-325-7676.

Sincerely,

Lorren Smith  
Project Manager

cc: Gerald Erickson



Meeting Date: 8/8/2019  
Agenda Item: 5

## **KINGSBURG PLANNING COMMISSION STAFF REPORT**

---

**REPORT TO:** Kingsburg Planning Commission

**REPORT FROM:** Greg Collins, Contract City Planner

**REVIEWED BY:**

MC

**AGENDA ITEM:** 5

**SUBJECT:** Conditional Use Permit No. 2019-01 (Efrain Yanez) - an application to allow the construction of a mixed-use (commercial and residential) project located at the southeast corner of Draper and California Streets – 1300 Draper Street & 1454 California Street (APNs 396-091-01 & 396-091-17)

**ACTION REQUESTED:**    Ordinance   X   Resolution    Motion    Receive/File

---

### **EXECUTIVE SUMMARY**

The applicant has submitted a Conditional Use Permit (C.U.P.) to construct a mixed-use commercial and residential project located at the southeast corner of Draper and California Streets. Under Kingsburg's Form Based Code, a CUP is required for the residential component of this project.

### **RECOMMENDED ACTION BY PLANNING COMMISSION**

1. Approve the finding of categorical exemption for Conditional Use Permit 2019-01 under California Environmental Quality Act Guideline Section 15332 – In-fill site within the City of less than 5 acres consistent with the guidelines for Class 32, Section 15332,
2. Approve a resolution approving Conditional Use Permit 2019-01, allowing the construction of a mixed-use commercial and residential project located at the southeast corner of Draper and California Streets.

### **FINANCIAL INFORMATION**

#### **FISCAL IMPACT:**

- |                              |        |
|------------------------------|--------|
| 1. Is There A Fiscal Impact? | Yes/No |
| 2. Is it Currently Budgeted? | Yes/No |
| 3. If Budgeted, Which Line?  | Yes/No |



## **BACKGROUND**

The applicant is requesting approval of a conditional use permit to construct a mixed-use commercial and residential project located on the southeast corner of Draper and California Streets in downtown Kingsburg. The project is comprised of two parcels, the corner parcel is vacant as a result of a fire. The second parcel is just south of the corner site and contains a 1,000 square foot building which is planned to remain and is currently occupied by Kingsburg Chiropractic. Map 1 shows the site location on an aerial photo.



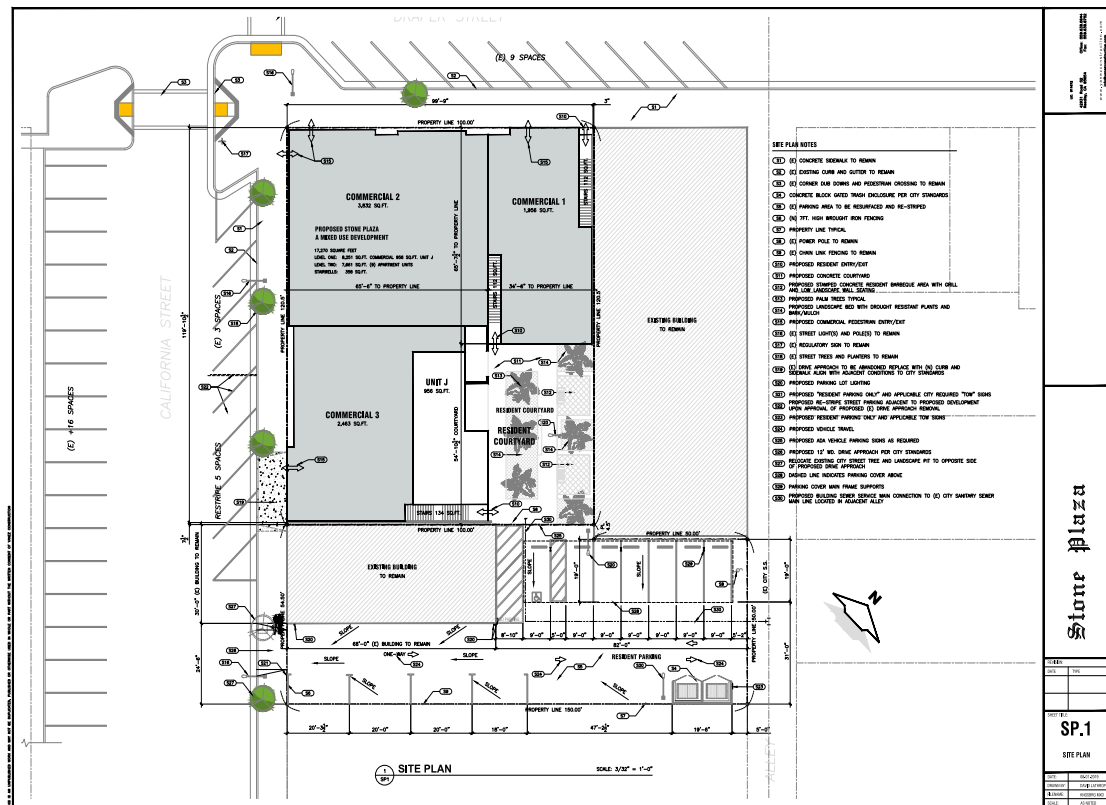
The site is zoned FBC-3 (Downtown Form Based Code). The FBC zone was applied to properties throughout the downtown in 2015 to better foster the desired character of downtown as a pedestrian-oriented shopping and residential district in the City. Mixed-use buildings (including residential units) are strongly encouraged, to promote activity and extend the hours of street life of the downtown. The site is also within the Highway 99 Beautification Overlay area, however there is no features of the project that trigger compliance with this zone.

On July 9, 2019, the Site Plan Review Committee held a meeting to review Site Plan 2019-06, a mixed-use project consisting of 10 residential units and 9,198 sq. ft. of retail space. The proposed project includes a parking lot on the south side of the site with access to the alley that stems from California Street. The building will be two-story with the first floor being for commercial uses and the second story for residential use (10 residential units).

### **Site Plan**

The proposed building will be located on the corner as shown in Figure 1 – Site Plan. The corner parcel is currently vacant as the result of a fire. It will be a two-story structure with 9,198 sq. ft. of commercial space on the ground floor and 10 residential units on the second floor. Parking will be located at the rear of the building just off a one-way alley. Parking stalls will be for the primary use of the residents on the second floor of the complex.

**Figure No. 1**



### First Floor – Commercial & Residential

Figure 1 shows the three main commercial tenant spaces on the first floor. Commercial Space 1 is 1,933 sq. ft. with frontage on Draper Street, Commercial Space 2 is 3,832 sq. ft. with frontage on both Draper and California Streets, and Commercial Space 3 is 2,433 sq. ft. with frontage on California Street. These tenant spaces could be further divided or combined based upon demand.

There is one residential unit on the first floor, which will be an ADA accessible unit with two bedrooms and access to an ADA parking stall in the adjacent parking lot. There are three external stairwells providing access to the residential units on the second floor. One of the stairwells is accessed from Draper Street with a recessed security door. In the southeast corner of the site is a resident courtyard for the exclusive use of the residents. The courtyard would be separated from the parking lot by a 7-foot high wrought iron fence with a security gate.

### Second Floor – Residential

Figure 1 shows nine residential units on the second floor. Eight of the units are two-bedroom with one being a three-bedroom unit. The units are accessed off a common hallway that provides access to all the stairwells. All the units have external balconies and windows to the adjacent street or courtyard.

### Building Elevations

The elevations in Figure 2 illustrate the public street frontages along Draper and California Streets. The site is within the Central Commercial zone and Zone 3 of the Form Based Code area. The elevations include Swedish architectural designs consistent with the code requirements. Staff will continue to work with the applicant on the elevations for additional Swedish design enhancements, which may result in minor alterations to those included in the staff report.

**Figure No. 2**



## Parking

The Zoning Ordinance requires one space per residential unit for mixed use projects, and no parking for commercial areas under 5,000 sq. ft. The Form Based Code allows for the use of adjacent lots to help satisfy mixed-use parking needs. Staff is recommending that the project include one dedicated parking stall per unit (10 stalls) to reduce the potential impacts to the primary commercial parking along Draper Street.

The parking lot to the rear of the building is currently intended to be a private lot with 11 parking stalls as shown on the Site Plan in Figure 1. The applicant and City are reviewing opportunities to reconfigure the parking area to accommodate additional stalls and/or enhance the overall function of the parking area. Staff has included language in the conditions of approval allowing for minor changes if they are consistent with Planning Commission approval of this use permit and approved by City staff.

The opening of the access point to California Street may eliminate two on-street parking stalls which would be replaced by the closure of the unused access point on California Street just north of the existing building. Staff is also recommending a minor variation in the parking stalls, allowing a reduction in width from 10 feet to nine feet. As a private parking lot, the users will be familiar with the size and configuration reducing potential conflicts. This reduction in width allows for maximizing the number of parking stalls in the parking lot area.

The existing commercial building, Kingsburg Chiropractic, does not have any on-site parking and would continue to use adjacent public parking on the street and the lot along the railroad tracks across California Street.

The proposed access point on California Street is to be one-way into the parking area from California Street. Parking will be arranged along this one-way lane.

### Building Code Requirements

The proposed project must comply with the Uniform Building Code and associated codes, including the Americans with Disabilities Act (ADA). The Fire Code will require the residential units be sprinklered. Finally, the building code requires a Title 24 energy efficiency analysis.

### Conditional Use Permit Findings

To approve a conditional use permit the Zoning Ordinance requires the Planning Commission to make three findings. These findings and an analysis of each are as follows:

- A. That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right.*

**Analysis:** The FBC zone requires a Conditional Use Permit be processed for the establishment of residential uses in this zone. The CUP process allows for increased scrutiny, public notification and review of a proposed use. Mixed use development is a relatively "new" and untested use in downtown Kingsburg and such review is warranted.

- B. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance codified in this title and the purposes of the district in which the site is located.*

**Analysis:** The addition of mixed-use residential development will be beneficial to downtown Kingsburg by introducing residents who can live and shop in the downtown. Further, it may stimulate the use of other buildings in the downtown that have a second story.

- C. That the proposed use will comply with each of the applicable provisions of this title.*

**Analysis:** The proposed mixed-use as designed will comply with requirements of the FBC zone, including use, setbacks, building height, and parking, among others.

### **CONCLUSION:**

The project has been reviewed by City staff including Public Works, Engineering, Police and Fire Departments, who have contributed conditions of approval listed in the attached resolution. With these conditions staff is recommending approval of the project.

## **ENVIRONMENTAL REVIEW:**

Staff has determined the project is exempt from environmental review under Section 15332. In-fill site within the City of less than 5 acres consistent with the guidelines for Class 32, Section 15332, for Conditional Use Permit 2019-01. There is no aspect of the project that may be reasonably expected to have a significant impact on the environment.

## **ATTACHED INFORMATION**

1. Site Plan and Elevations for Stone Plaza
2. Planning Commission Resolution

## **BACKGROUND INFORMATION**

Applicant/ Owner: Efrain Yanez  
42931 Road 52  
Reedley, CA 93654

Agent NA

Location: The subject site is located on the southeast corner of Draper and California Streets. The Assessor Parcel Numbers are 396-091-01 & 396-091-17.

Request: The applicant is requesting approval to construct a mixed-use commercial and residential project located at the southeast corner of Draper and California Streets.

Site: The subject site is comprised of two parcels; the corner parcel is vacant as a result of a fire. The second parcel is just south of the corner and contains a 1,000 sq. ft. building which is planned to remain and is currently occupied by Kingsburg Chiropractic.

Surrounding land uses are as follows:

North: Commercial buildings  
South: Commercial building with parking lot  
East: Commercial building  
West: Public Parking and Rail-Road Tracks

Zone: The site is zoned FBC-3 (Main Street (Downtown Form Based Code - zone 3)) and is also within the Highway 99 Beautification overlay zone area. This zone contains a number of standards that apply to new development, including:

## **Build-To Lines (BTL):**

Front: 0 feet (building must meet public right-of-way). Connection of building to right- of-way must be 100% across the width of the lot for lots less than 50 feet wide; 75% across the width of the lot for lots more than 50 feet wide. Connection of building to side street property line must be 50% of the width of the boundary.

Side: 0 feet

Rear: Adjacent to T5 Zones: 0' Adjacent to all other zones: 5' Adjacent to Alley: 5'

**Building Height:**

- 20 feet, minimum; 3 stories, maximum (4 stories permitted for affordable, senior housing or LEED certified buildings)
- Ground floor finish level: 6" above sidewalk, maximum
- Ground floor ceiling: 12', minimum
- Upper floors ceiling: 8'-6" minimum for residential
- Within 20' of rear property line buildings may not be more than a half story taller than the permitted height of adjacent buildings.

**Building footprint:**

- Depth (ground floor space)
- Commercial, Front: 50' minimum
- Commercial, Side Street: 30' minimum

**Distance between entries:**

- To ground floor: 50', maximum
- To upper floor(s): 100' maximum. Note: All upper floors must have a primary entrance along the front.

**Parking:** Residential uses: 1 space per unit, maximum – waived in the CC Zone FBC 3

Surrounding zone classifications are as follows:

North: FBC 3 (Downtown Form Based Code zone 3) + Highway 99 Beautification overlay zone  
South: FBC 3 (Downtown Form Based Code zone 3) + Highway 99 Beautification overlay zone  
West: FBC 3 (Downtown Form Based Code zone 3) + Highway 99 Beautification overlay zone  
East: FBC 3 (Downtown Form Based Code zone 3) + Highway 99 Beautification overlay zone

General Plan: The subject site is currently designated “Central Commercial” by the Land Use Element of the Kingsburg General Plan. Further, the site is within the Highway 99 Beautification designation area.

Access: Access to the site is provided from three directions. The building fronts onto Draper and California Streets, with alley access to the south. Draper and California Streets have one travel lane in each direction and diagonal on-street parking. The parking lot has access to California Street and the alley. The alley is paved and provides access north to Draper Street and south to Lewis Street.

Infrastructure: The site is served by City water, sewer and storm drain lines under existing streets around the project.

Services: Police and fire protection are provided by the City of Kingsburg.

Environmental: The project is categorically exempt from review under the Guidelines of the California Environmental Quality Act per Section 15332. Infill site of less than 5 acres.

**PRIOR ACTION/REVIEW**

The applicant has completed site plan review and is seeking formal approval from the Commission.

**RESOLUTION NO. 2019-\_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF KINGSBURG APPROVING WITH CONDITIONS CONDITIONAL USE PERMIT (CUP) 2019-01 TO CONSTRUCT A MIXED-USE PROJECT WITH 10 RESIDENTIAL UNITS, AND 9,198 SQUARE FEET OF COMMERCIAL SPACE ON TWO PARCELS OF LAND, LOCATED ON THE SOUTHEAST CORNER OF DRAPER AND CALIFORNIA STREETS, CITY OF KINGSBURG**

**WHEREAS**, the Kingsburg Planning Commission did consider during its regular meeting on August 8, 2019, the application of Mr. Efrain Yanez for a Conditional Use Permit (CUP) to construct a mixed-use project with 10 residential units and 9,198 square feet of commercial development on two parcels of land located on the southeast corner of Draper and California Streets in Kingsburg, APN's 396-091-01 & 396-091-17; and

**WHEREAS**, the Kingsburg Planning Commission did conduct a duly noticed public hearing, accepting written and oral testimony both for and against on August 8, 2019; and

**WHEREAS**, the Kingsburg Planning Commission received and reviewed a staff report from the Kingsburg Planning Department, and

**WHEREAS**, The Kingsburg Planning Commission finds that the proposed conditional use permit, subject to conditions is in accordance with Chapter 17.68 of the Zoning Ordinance of the City of Kingsburg; and

**WHEREAS**, the Planning Commission also finds that the conditions imposed on Conditional Use Permit 2019-01 will protect and preserve the public health, safety and welfare in the immediate neighborhood in the community as a whole; and

**WHEREAS**, the Kingsburg Planning Commission has determined that the project is categorically exempt consistent with the California Environmental Quality Act (CEQA).

**NOW THEREFORE, BE IT RESOLVED** that the Kingsburg Planning Commission determined that the following findings can be made as required by Section 17.68.070 of the Kingsburg Municipal Code:

A. That there are circumstances or conditions applicable to the land,



structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a private property right.

- B. That the proposed location of the conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located.
- C. That the proposed use will comply with each of the applicable provisions of this ordinance.
- D. That the project is considered Categorically Exempt under Section 15332 - In-Fill Class 32 of the Guidelines for the implementation of the California Environmental Quality Act.
- E. The proposed project is consistent with the Kingsburg General Plan as well as the Kingsburg Form Based Code.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Kingsburg Planning Commission hereby approves Conditional Use Permit 2019-01 subject to the following general conditions and Conditions of Approval as follows:

**General:**

- 1. That all proposals of the applicant are conditions of approval, except as modified below, and subject to modifications to conform to applicable City Standards.
- 2. That the conditions of approval contained herein be met subject to minor modifications as may specified in the conditions.
- 3. That the applicant pays all fees as required by the Kingsburg Municipal Code and all current City ordinances, resolutions and schedules.
- 4. That the final design of the site plan and building, with changes incorporating the conditions of approval as shown in "Attachment A" be submitted to the Site Plan Review Committee or Planning Director for approval prior to the issuance of any building permit.

**Conditions of Approval:**

- 1. The building elevations in the attachments may be modified to provide additional enhancements to be consistent with the architectural standards per Kingsburg's Form Based Code 3, and Swedish Architectural Designs standards.

2. The applicant shall submit a grading and drainage plan to the city engineer for review and approval. Further, the alley adjacent to the subject site shall be reconstructed consistent with city of Kingsburg's improvement manual standards.
3. The applicant shall secure a permit to connect to SKF consistent with the district's improvement standards. The applicant shall pay all necessary fees and charges. The applicant shall comply with the following specific conditions:
  - a. submit floor and plumbing plans for each building for sewer evaluation;
  - b. install sanitary sewer laterals with clean outs and box to each proposed building;
  - c. each building shall be metered separately from the landscaping system; and
  - d. the applicant shall complete and submit both commercial and multi-family residential sewer connection applications to SKF.
  - e. the existing sewer main is in the alley and not accessible to service this building. No sewer service laterals shall be constructed under an existing building on a different parcel.
  - f. install an 8" sewer main in Draper Street with 6" minimum sewer service laterals to the multi-use building w/cleanout & box at the property line. Submit plans for review and approval.
  - g. food service establishments will require a minimum 40-lbs grease traps and restaurants will require at a minimum a 1,500 gallon grease interceptor.
  - h. abandon existing sewer service lateral(s).
4. The applicant shall secure a building permit from the City of Kingsburg and shall pay all building and development impact fees prior to occupancy.
5. The City Planner/Engineer shall review and approve a landscaping and irrigation plan for the project. Said landscaping and irrigation shall be installed prior to occupancy and shall be compliant with AB 1881 requirements for low water / drought tolerant planting and irrigation
6. The applicant shall install driveways, gutters and sidewalks consistent with Kingsburg's Improvement Standards Manual.

7. The applicant shall install parking lot improvements consistent with Kingsburg's Improvement Manual, except for the non-ADA parking stalls for the proposed residential units which may be 9 feet wide if approved as a part of Conditional Use Permit No. 2019-01. The parking lot in the Site Plan exhibit may be modified with the approval of the City Fire, Building, Engineering, and Planning Departments, to reconfigure the parking and access layout to optimize the potential parking field. At the discretion of the City, significant changes to the parking area may be subject to Planning Commission review for a Finding of Consistency with this use permit.
8. The subject site shall be well maintained by insuring that the landscaping is effectively watered, mowed, pruned, fertilized, and weeded; that the signs are properly lighted and painted; that the irrigation system is periodically checked to insure against leaks, over spray and watering times that are not conservation effective; and that the parking lot and driveways shall be properly paved and stripped.
9. A visible building address shall be fixed to the front of all buildings. The numbers shall be a minimum of six inches high.
10. Parking lot lights consistent with Kingsburg Improvement Standards Manual shall be installed within the interior of the subject site.
11. The applicant shall comply with the conditions from the Kingsburg Building Department:
  - a. All buildings and exterior improvements shall comply with ADA standards; and
  - b. Submit a Fire Sprinkler Plan on all buildings shall be provided with fire sprinklers; and
  - c. The applicant shall secure a building permit and pay all building and development impact fees as required by the City of Kingsburg prior to the start of construction.
12. The applicant shall comply with the city engineer's conditions as follows:
  - a. That all conditions of the applicant be conditions of approval, except as further modified below, and subject to modifications to conform to applicable

City Standards.

- b. That the conditions of approval contained herein are in addition to those in Section 18 of the City of Kingsburg Improvement Standard Manual.
  - c. The applicant shall submit a grading and site improvement plan for on-site improvements including, but not limited to, water, sewer, concrete, asphalt, lighting, and landscaping improvements.
  - e. All electrical, telephone and cable services to the project shall be provided underground services from the point of service.
  - f. Applicant shall repair/upgrade to city standards curb, gutter, sidewalk and curb ramps along the frontage of the proposed project.
13. The applicant shall comply with the Fire Department conditions as follows:
- a. Installation of fire sprinklers and related infrastructure.
14. The project shall include surveillance cameras on all commercial entrances/exits and along California Street frontage, said camera system to have a 90-day retention period, and 24/7/365 operation.

\* \* \* \* \*

I, Mary Colby, Secretary to the Planning Commission of the City of Kingsburg, do hereby certify that the foregoing resolution was duly passed and adopted at a regular meeting of the Kingsburg Planning Commission held on the 8th day of August 2019 by the following vote:

Ayes:            Commissioners:

Noes:            Commissioners:

Absent:           Commissioners:

Abstain:           Commissioners:

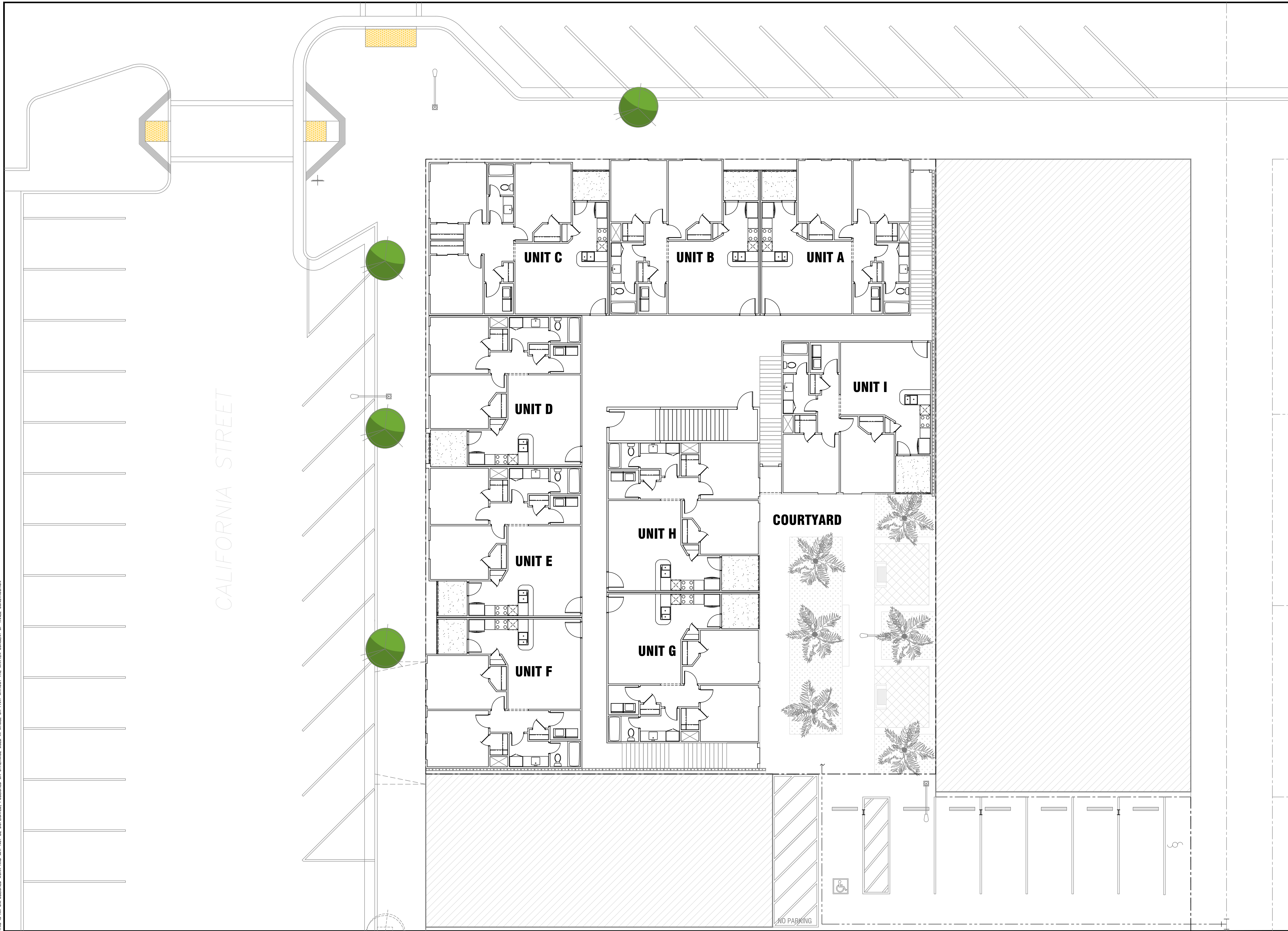
---

Mary E. Colby  
Planning Commission  
Secretary City of  
Kingsburg





THIS IS AN UNPUBLISHED WORK AND MAY NOT BE DUPLICATED, PUBLISHED OR OTHERWISE USED IN WHOLE OR PART WITHOUT THE WRITTEN CONSENT OF YANEZ CONSTRUCTION



A NEW MIXED USE DEVELOPMENT:

Stone Plaza

KINGSBURG, CALIFORNIA

REVISION:

DATE	TYPE

SHEET TITLE:

A1.1

FLOOR PLAN  
SECOND LEVEL

DATE:	08-02-2019
DRAWN BY:	DAVID LATHROP
FILENAME:	KNGSBRG.MXD
SCALE:	AS NOTED

THIS IS AN UNPUBLISHED WORK AND MAY NOT BE DUPLICATED, PUBLISHED OR OTHERWISE USED IN WHOLE OR PART WITHOUT THE WRITTEN CONSENT OF YANEZ CONSTRUCTION



1  
A2  
DRAPER STREET VIEW

SCALE: 3/16" = 1'-0"



2  
A2  
CALIFORNIA STREET VIEW

SCALE: 3/16" = 1'-0"

UC: 81672  
42931 Road 52  
Reedley, CA 93654  
Office: 559.638.6644  
Fax: 559.638.6752  
www.yanezconstruction.com  
info@yanezconstruction.com

Stone Plaza  
Draper Street

REVISION:	
DATE	TYPE
SHEET TITLE:	
A2	
EXTERIOR ELEVATIONS	
DATE:	08-01-2019
DRAWN BY:	DAVID LATHROP
FILENAME:	KNGSBRG.MXD
SCALE:	AS NOTED





Sewer Point of Connection

1300 Draper Street